

Remarks

The Examiner has rejected all pending claims under 35 U.S.C. 102 as being anticipated by ConTeyor (DE19826429) and has also rejected all pending claim under 35 U.S.C. 103 as being obvious over prior art figure 1 in view of ConTeyor above. These rejections are improper and should be withdrawn.

ConTeyor does not disclose or suggest the structure recited by the present claims. No attachment that provides a defined downward stressing force, required by the present claims, is taught or in any way suggested by ConTeyor whether or not it is combined with Figure 1 of the present application.

The “Stangen 2” (poles) 2 of ConTeyor are held by their ends by “Stangenhalter 12” (pole holders 12) and are prevented from downward movement. The poles thus are completely unable to provide a downward tensioning force as required by the present claims nor is any attachment or reason for providing such an attachment suggested by ConTeyor whether or not combined with “Figure 1”.

ConTeyor actually teaches away from the present invention in column 6, lines 9-14 clearly saying that the material is loose or at most lightly tensioned. This is done to reduce free swinging of the bags while permitting lateral movement. Downward movement of the poles is prevented thus when the bags in any way move downward, e.g. through weight of bag contents, simple minor variation in support height, or change in bag length due to narrowing upon removal of contents, there can be no downward tensioning at all. There is simply no “defined” tensioning force as required by the present claims and as set forth on page 3, line 17 of the specification. In

the case of empty bags, the pockets are longest and thus cannot be tensioned by a fixed bar or pole. This prior art state results in closing of the pockets which is precisely contrary to the object of the present invention as set forth at the bottom of page 2 and top of page 3 of the present specification.

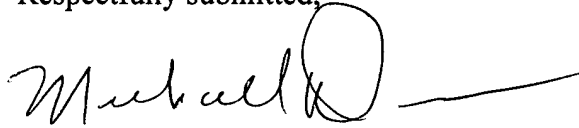
The cited reference clearly does not disclose or suggest the present invention whether or not combined with Figure 1. The rejections should be withdrawn and all claims should be allowed.

The embodiment shown in Figure 2 is illustrative of the present invention showing the "bar" in vertical guides allowing upward and downward movement to maintain a defined tension. This embodiment is claimed in claim 27 withdrawn due to an election of species requirement.

The examiner is reminded that Claim 27 is dependent upon its generic base Claim 26 and should be rejoined upon allowance of Claim 26.. Similarly Claim 29 is dependent upon its allowable generic base claim 27 and should also be rejoined.

In view of the foregoing amendments and remarks, all claims are now in condition for allowance, which action is courteously requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael L. Dunn", followed by a long horizontal line extending to the right.

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Dated: October 15, 2004

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